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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,473	03/07/2002	Shinichi Tanaka	D-1248	9045

7590 07/07/2003
KANESAKA AND TAKEUCHI
1423 Powhatan Street
Alexandria, VA 22314

EXAMINER

DRAPER, DEANN L

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 07/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,473

Applicant(s)

TANAKA, SHINICHI

Examiner

Deanna L. Draper

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

The drawings are objected to because according to the specification, in Figure 4, "54c" should be --54a--. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2 – 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the other end" in lines 3 – 4 and "the other side" in line 5. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2 and 4 – 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Katsuda et al. (US 6,053,531). Katsuda discloses an air bag gas generator including an air bag (204 in Fig. 5), a module cover for covering the airbag (205 in Fig. 5), a container including an outer shell (3 in Fig. 1), a cylindrical partition member (16 in Fig. 1) disposed at least partly inside the outer shell to form a plurality of chambers inside the container (23, 28 in Fig. 2), a gas generating agent (5, 6 in Fig. 1) disposed inside the plurality of chambers of the container, an igniter disposed in the partition member for igniting the gas generating agent (4 in Fig. 1), and a fixation area increasing portion (see area near 17 in Fig. 1) formed at the outer shell member to increase connection between the outer shell member and the partition member. One end of the partition member is fixed to an inside surface of the outer shell member at one side thereof (see area near 38 in Fig. 1), and the other extends outward from an opening (15 in Fig. 1) on the other side of the outer shell member. The partition member has an outer peripheral surface (see areas near 15, 16, 17 in Fig. 1) and the outer shell opening has an inner peripheral surface defining the opening (15 in Fig. 1), and these two surfaces are welded together (Col. 10, lines 6 – 8). Katsuda also discloses a squib holder (100 in Fig. 1) inside the partition member and facing the fixation area increasing portion of the outer shell member, with the initiator disposed on the squib holder inside the partition member, and an enhancer cup (53 in Fig. 1) disposed between the squib holder and the inside surface of the outer shell member inside the partition member.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Katsuda as applied to claim 2 above, and further in view of Green, Jr. et al. (US 5,984,352). Katsuda discloses the invention as claimed above, including the fixation area increasing portion being an annular portion provided at the outer shell member (18 in Fig. 1) for defining the opening, however the annular portion is not protruding inwardly. Green discloses an air bag inflator with an opening in the bottom of the outer shell with an annular portion which protrudes inwardly (70 in Fig. 2) in order to provide a secure connection between the initiator assembly and the outer shell of the inflator. Therefore it would have been obvious to modify Katsuda by making the annular portion protrude inwardly in order to provide a more secure connection between the initiator assembly and the outer shell member, as taught by Green.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Blomquist (US 6,149,746) discloses an ammonium nitrate gas generating composition. Green, Jr. et al. (US 6,135,496) discloses an air bag inflator with pressure regulation. Katsuda et al. (US 6,406,060) discloses a gas generator for airbag and airbag system. Yamazaki et al. (US 6,378,901) discloses a gas generator for an air bag and air bag system.

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McFarland et al. (US 6,257,617) discloses an air bag inflator with pressure regulation.

Tomiyama (US 6,170,869) discloses a gas generator for an air bag and air bag system. Zeuner et al. (US 5,501,152) discloses an air bag gas generator. Jordan (US 5,779,267 and 5,829,785) discloses an airbag inflator. Saso et al. (US 6,431,598 and 6,283,505) discloses a gas generator for an airbag. Hock et al. (US 5,613,705) discloses an airbag inflator. Bernau et al. (US 5,753,852) discloses a gas generator. Adams et al. (US 4,530,516) discloses an aluminum inflator with steel center-tie. Tanaka et al. (US 5,938,236) discloses a gas generator for an airbag. Iwai et al. (US 6,540,256) discloses an airbag gas generator and an airbag apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deanna L. Draper whose telephone number is 703-306-5939. The examiner can normally be reached on Monday - Friday, 9:00 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 703-308-2089. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

DEANNA L. DRAPER
PATENT EXAMINER

dld
June 30, 2003

Lesley D. Morris
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